

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IES UTILITIES INC.	DOCKET NOS. TF-99-285 TF-99-286
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ORDER APPROVING TARIFFS

(Issued October 29, 1999)

On October 1, 1999, IES Utilities Inc. (IES) filed with the Utilities Board (Board) proposed tariffs, identified as TF-99-285 and TF-99-286, that would simplify tariff administration by removing the customers' rights and remedies section included in current electric and gas tariffs. IES said the language is duplicative because the language is included in the discontinuance of service sections of IES's tariffs. The tariff changes reflect revisions to IES's customer notice forms approved by the Board on August 1, 1999.

The Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed an objection to the proposed tariffs on October 19, 1999. IES's customer notice forms provide that "[d]isconnection of service to a customer may not take place unless the Company is prepared to reconnect the customer's service the same day if payment or other arrangement is made." Consumer Advocate is concerned that the language could be read to mean that if the customer is disconnected before 2 p.m., reconnection does not have to be made the same day if payment or other arrangement is made.

The nonstandard language in IES's rights and remedies form approved by the Board emphasizes language contained in the rules that disconnection may not take

place on a weekend, holiday, or after 2 p.m. unless IES is prepared to reconnect that same day if payment or other arrangements are made. The Board believes this language provides useful information to the consumer because it emphasizes that reconnection is available even if disconnection occurs late in the day or on a holiday or weekend.

The Board will therefore approve the proposed tariffs, but takes this opportunity to remind all electric and gas utilities that pursuant to Board rules and practice, a utility must be prepared to reconnect on the day of disconnection regardless of the time of day the disconnection occurs. Any other reading of the rules would produce an absurd result. The Board notes that any utility not prepared to reconnect the same day may be subject to civil penalties or other remedies available to the Board.

IT IS THEREFORE ORDERED:

Tariff filings TF-99-285 and TF-99-286 are approved.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 29th day of October, 1999.